S.B. Criminal Misc. Petition No. 1/2005
(Smt. Sumitra Vs. State of Rajasthan & ors.)

Date of Order: July 06, 2006

HON'BLE MR. H.R. PANWAR, J.

Mr. A.K. Acharya, for the petitioner.
Mr. Ashok Upadhyaya, Public Prosecutor for the State.

Heard learned counsel for the petitioner.

By the instant criminal miscellaneous petition under Section 482 Cr.P.C., the petitioner submits that she has filed a complaint against the non-petitioners No.2 to 6 for the offence under Section 494 and 109 IPC and the trial is not proceeding for want of service on non-petitioner No.5 Naina Ben.

From the record, it appears that the trial Court has repeatedly issued non-bailable warrants to procure the presence of accused/non-petitioner No.5 Naina Ben but the warrants have been received unserved. In the circumstances, therefore, it would be appropriate for the trial court to issue a standing non-bailable warrant and secure the presence of non-petitioner No.5 Naina Ben so that trial of the case an proceed.

With these observations, the miscellaneous petition stands disposed of.

(H.R. PANWAR), J.

mcs